

RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

RESOLUTION TO MAINTAIN THE) RESOLUTION NO. _____
EMERGENCY MEDICAL SERVICES FUND)
COMMONLY REFERRED TO AS)
THE MADDY EMS FUND)
_____)

WHEREAS, California Health and Safety Code Chapter 2.5 Sections 1797.98a-1797.98g, identifies that a “Maddy Emergency Medical Services (EMS) Fund” may be established in each county within California upon adoption of a resolution by each county’s Board of Supervisors; and

WHEREAS, the intent of the Maddy EMS Fund is to partially compensate health care providers for emergency medical services for the uninsured and medically indigent and to ensure this population has continued access to emergency medical care, and to support the Emergency Medical Services system, as provided in Health and Safety Code, Section 1797.98a; and

WHEREAS, the Santa Barbara County Board of Supervisors established a Maddy EMS Fund within the County by adopting Resolution No. 04-307 on November 2, 2004 to provide Santa Barbara County a means to collect additional penalties, fines or forfeitures; and

WHEREAS, the existing funding stream for the County’s Maddy EMS Fund was set to expire in January 2009, but Assembly Bill 1900 was signed by the Governor to amend Government Code Section 76104.1 and Vehicle Code Section 42007.5 by extending the time period during which Santa Barbara County can continue to collect penalty assessments on criminal offenses to support the Maddy EMS Fund until January 1, 2011;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The foregoing recitals are adopted as part of the Resolution;
2. The County Board of Supervisors recognizes that by adopting the penalties authorized by Government Code Section 76104.1 necessary revenues will be deposited into the Maddy EMS Fund to pay for emergency medical services and support the EMS system;
3. The Auditor-Controller shall maintain in the County treasury a separate trust fund known as the Maddy EMS Fund pursuant to Health and Safety Code Sections 1797.98a-1797.98g;

4. Pursuant to Government Code Section 76104.1(a), in Santa Barbara County, an additional penalty of five dollars (\$5.00) for every ten dollars (\$10.00) of base fine, or fraction thereof, shall be imposed on fines, penalties, or forfeitures collected for criminal offenses but shall not include penalty assessments involving a violation of the Vehicle Code other than penalty assessments under Vehicle Code Sections 23103.5, 23136, 23140, 23152, and 23153 related to reckless driving and driving under the influence of drugs or alcohol; in addition, restitution fines, parking offenses, penalties authorized by Penal Code Section 1464 and the state surcharge authorized by Penal Code Section 1465.7 are exempted from this penalty assessment;
5. These penalties shall be collected together with and in the same manner as the amount established by Section 1464 of the Penal Code and be deposited in the Maddy EMS Fund maintained by the Auditor-Controller;
6. The monies in the Maddy EMS Fund shall be payable to the public health department only for the purposes and in the manner specified in Government Code Section 76104(e);
7. Any interest earned on the Maddy EMS Fund shall be re-deposited therein by the County Auditor-Controller;
8. The Clerk of the Board of Supervisors is instructed to transmit, on the next business day following adoption of this resolution, a copy of the resolution to the clerk of each court in the county;
9. This Resolution shall become effective on January 1, 2009 once adopted by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara,
State of California, this _____ day of _____, 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
Chair, Board of Supervisors

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
ROBERT GEIS
AUDITOR-CONTROLLER

By _____
Deputy County Counsel

By _____
Mark A. Paul